

KSB Litigation, P.S.

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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**

CHRISTOPHER SENN; JASON
BEWLEY; JERED FULLEN,
DISABILITY RIGHTS WASHINGTON,
and JEWELS HELPING HANDS,

Plaintiffs,

vs.

CITY OF SPOKANE, a municipal
corporation; SPOKANE COUNTY, a
municipal corporation; OZZIE
KNEZOVICH, in his official capacity as
Spokane County Sheriff; CRAIG MEIDL,
in his official capacity as Spokane Police
Chief;

Defendants.

NO. 2:22-cv-254-SAB

PLAINTIFFS' REPLY

PLAINTIFFS'REPLY : 1

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1 Defendants County of Spokane and Sheriff Knezovich's Response (ECF 17
2 - 18) does not address *Martin v. Boise*, 920 F.3d 584 (9th Cir. 2019) nor *Johnson v.*
3 *Grants Pass*, 20-35752, 20-35881 (9th Cir. Sep 28, 2022). The Response does not
4 address the Constitutional principles behind either case. The response gives this
5 Court no guidance on whether the County agrees that *Martin* and *Johnson* control
6 or has a legal argument in opposition.

7 There is no exception to the rule in *Martin* and *Grants Pass* and the
8 Response does not suggest otherwise.

9 The question before this Court asks whether irreparable harm will likely
10 befall Plaintiffs if a temporary restraining order does not issue. Plaintiffs have
11 established their entitlement to this Court's temporary protection based on the
12 demonstrated likelihood that the County intends at an unknown date in the
13 immediate future to sweep the Camp. The Statement of Interest (ECF 22)
14 presented by Washington State's Attorney General is in full accord with Plaintiffs'
15 position and raises useful suggestions for the Order.

16 Plaintiffs respectfully request that an Order restraining Defendants issue as
17 soon as practicable.

18 DATED this 9th day of December, 2022.

19 /s/ Jeffry Finer

20 JEFFRY K. FINER, WSBA NO. 14610

21 **KSB LITIGATION, P.S.** (509) 981-8960

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CERTIFICATE OF SERVICE

....I hereby certify that I caused a true and correct copy of the foregoing
PLAINTIFFS' REPLY (plus any exhibits and/or attachments) to be served via the
method listed below to the following:

NAME & ADDRESS	Method of Delivery
James Bernard King on behalf of CITY OF SPOKANE	<input checked="" type="checkbox"/> CM/ECF System
James Bernard King on behalf of Craig Meidl	<input checked="" type="checkbox"/> CM/ECF System
F Dayle Andersen, Jr on behalf of SPOKANE COUNTY	<input checked="" type="checkbox"/> CM/ECF System
F Dayle Andersen, Jr on behalf of Ozzie Kenezovich	<input checked="" type="checkbox"/> CM/ECF System

DATED this 9th day of December 2022.

/s Jeffry K. Finer
Jeffry K. Finer

PLAINTIFFS'REPLY : 3

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